

## **RESOLUTION NO. 2016-07**

### **RESOLUTION OF THE WHITESTOWN REDEVELOPMENT COMMISSION CONFIRMING A RESOLUTION AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR THE PERRY INDUSTRIAL PARK ECONOMIC DEVELOPMENT AREA NO. 1**

WHEREAS, on February 25, 2005, the Whitestown Redevelopment Commission (the “Redevelopment Commission”) initially approved an Economic Development Plan (the “Original Plan”) for the Town of Whitestown, Indiana Perry Industrial Park Economic Development Area #1 (the “Economic Development Area”) in the Town of Whitestown, Indiana (the “Town”) and adopted a declaratory resolution (the “Original Declaratory Resolution”) declaring that the Economic Development Area is an economic development area within the meaning of Indiana Code 36-7-14 and Indiana Code 36-7-14-25 and all acts supplemental and amendatory thereto (the “Act”) and designating the entire Economic Development Area as an “allocation area” (the “Allocation Area”) for purposes of Indiana Code 36-7-14-39; and

WHEREAS, on June 15, 2005, following a public hearing thereon pursuant to the Act, the Redevelopment Commission adopted a confirmatory resolution confirming in all respects the Original Declaratory Resolution and the Original Plan; and

WHEREAS, on February 26, 2007, the Redevelopment Commission adopted a resolution (the “2007 Amending Resolution”) amending the Original Declaratory Resolution (the Original Declaratory Resolution as amended by the 2007 Amending Resolution, the “Declaratory Resolution”) to add additional projects to the Original Plan and increase the costs estimates for the projects to be completed pursuant to the Original Plan (the Original Plan as amended by the 2007 Amending Resolution, the “Plan”); and

WHEREAS, on September 6, 2016, the Redevelopment Commission adopted a resolution (the “Amending Declaratory Resolution”) approving an amendment to the Declaratory Resolution and the Plan to add certain additional projects (the “Additional Projects”) to the Plan and increase the cost estimates for the projects to be undertaken pursuant to the Plan; and

WHEREAS, the Commission submitted the Amending Declaratory Resolution and supporting data to the Whitestown Plan Commission (the “Plan Commission”) and the Plan Commission issued its written order on September 12, 2016 approving the Amending Declaratory Resolution, including the amendments to the Plan; and

WHEREAS, on September 14, 2016, the Town Council of the Town approved the order of the Plan Commission and the Amending Declaratory Resolution, including the amendments to the Plan; and

WHEREAS, the Commission published notice of the adoption and substance of the Amending Declaratory Resolution in the *Zionsville Times Sentinel* on September 7, 2016 and the *Lebanon Reporter* on September 7, 2016, in accordance with Indiana Code 36-7-14-17 and Indiana

Code 5-3-1, which notice also gave notice of a hearing on the proposed Additional Projects to be held by the Commission (the “Notice”); and

WHEREAS, the Notice has been filed in the office of the Plan Commission, the Board of Zoning Appeals, the Public Works Board, the Park Board, the Building Commissioner and any other departments, bodies or officers having to do with Town planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, on September 19, 2016, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED BY THE WHITESTOWN REDEVELOPMENT COMMISSION THAT:

Section 1. The foregoing recitals are hereby incorporated by reference.

Section 2. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to approve (i) the Plan as amended by the Amending Declaratory Resolution, and (ii) the Amending Declaratory Resolution.

Section 3. The Commission hereby confirms the findings made in the Amending Declaratory Resolution that (i) the Amending Declaratory Resolution is reasonable and appropriate when considered in relation to the Declaratory Resolution and Plans, and (b) the Declaratory Resolution as amended by the Amending Declaratory Resolution conforms to the comprehensive plan for the Town.

Section 4. The Amending Declaratory Resolution, including the amendments to the Plan in connection therewith, attached hereto as Exhibit A and incorporated herein by reference, approved by the Commission on September 6, 2016, is hereby confirmed in all respects.

Section 5. The Secretary of the Commission is hereby directed to record this resolution with the Boone County Recorder, immediately notify the Department of Local Government Finance and file this resolution with the Boone County Auditor.

Section 6. This resolution shall be effective as of the date of its adoption.

Adopted September 19, 2016.

WHITESTOWN REDEVELOPMENT COMMISSION

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Sarah Ford, President

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Bryan Brackemyre, Vice-President

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Megan Swain, Secretary

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Susan Austin, Member

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Kyle Weathers, Member

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Dennis H. Otten

*This instrument was prepared by Dennis H. Otten, Esq., Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, IN 46204; 317-684-5000.*

## **EXHIBIT A**

*Amending Declaratory Resolution w/ Amendments to the Plan*